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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

2018 AUG -3 AM 9:42

U.S. BANKRUPTCY COURT
MARY A. SCHOTT, CLERK

IN RE:

BK-18-50677-BTB
CHAPTER 7

TRISHA ANN VISER

Debtor

MOTION RE: VIOLATION OF THE STAY
AND TO SET ASIDE EVICTION ORDER

DATED:

Aug. 3. 2018

Debtor

IN THE JUSTICE COURT OF RENO TOWNSHIP

COUNTY OF WASHOE, STATE OF NEVADA

VIOLATION OF STAY

FILED

VIOLATION OF STAY

Bristle Pointe Apartments

Landlord,

2018 AUG -1 AM 11:14

Case No. REV 2018-001308
Dept. No. 6DEXTER THOMAS
RENO JUSTICE COURT
BY

DEPUTY

Vs.

MOTION TO SET ASIDE
EVICITION ORDERTrisha Grubb / Viser
Tenant.

Comes now, Trisha Grubb / Viser, Tenant above-named and hereby moves the Court to set aside the eviction order entered herein on the 1st day of August, 2018. This Motion is made and based on the pleadings on file herein. Additionally, the following grounds exist for granting the Motion:

1. That I was never served with the notice of eviction.
2. That I failed to appear and that failure was caused by mistake, surprise or excusable neglect in that

3. ✓ Other; namely I was unaware I needed to contest the five day notice. I was in communication with my trustee. He said they could not do anything unless a judge lifted the stay.

This Motion is made in good faith and not for purposes of delay.

Executed this 1st day of August, 2018 for my Bankruptcy

775-276-2639

Tenant's Phone

trishagrubb09@gmail.com

Trisha Grubb / Viser

Tenant

June 25, 2018

BK #

18-50677

ORDER

The Court has reviewed the foregoing Motion and, good cause appearing; it is hereby ORDERED that:

 The Clerk of the Court set a hearing on the Motion on the next judicial day and direct the parties to appear.

 The Motion is denied.

Dated this day of , 20 .

JUSTICE OF THE PEACE

FILED

2018 JUL 31 AM 11:15

IN THE JUSTICE'S COURT OF RENO TOWNSHIP
COUNTY OF WASHOE, STATE OF NEVADA

DEPUTY SHERIFF
RENO JUSTICE COURT
BY *R. Wells*
DEPUTY

Bristle Pointe Apartments

Landlord



Case No. REV2018-001308
Department 6

vs.

Trisha Grubb

Tenant

LOCKOUT ORDER

UPON APPLICATION duly and regularly made by Bristle Pointe Apartments, Landlord, and proof thereon being supported by a sworn affidavit on the date hereinafter mentioned, and good cause appearing therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

That the Sheriff of Washoe County, or one of their duly authorized agent, are hereby directed to remove each and every person found upon and within those certain premises located at 2050 Longley Ln Apt 503 Reno, Nv 89502, Reno Washoe County, Nevada within 24 hours after receipt of this order.

DATED: July 30, 2018.

P. Missick

JUSTICE OF THE PEACE

FIVE-DAY NOTICE TO PAY RENT OR QUIT**TO: Trisha Grubb And any other occupants or sub-tenants**2050 Longley Lane #503Reno, NV 89502**FROM: Bristle Pointe Apartments**2050 Longley LnReno, NV 89502Phone: 775-856-2900 Fax: 775-856-1431Manner of Service: ☐ Personal☐ Substituted/Mailing☒ Posting/Mailing**DATE: July 9, 2018**

PLEASE TAKE NOTICE that you are in default in payment of rent for the above described premises in the sum of \$1,400.76 for the period commencing from 7/1/2018 to 7/31/2018. PLUS an additional rent charges of \$50.00 on the 6th and \$5.00 a day there after until the balance is paid in full and not to exceed an additional rent charge of \$120.00. Rental payments(s) became delinquent on July 1, 2018.

Your failure to pay rent, leave the premises, or contest this Notice with five (5) judicial days¹ (July 19, 2018) may result in the landlord applying to the Justice of the Peace of the **RENO** Township for an Eviction Order.

If the Justice of the Peace determines that you are guilty of an unlawful detainer, the Justice of the Peace may thereupon issue a summary order to remove you from, or provide for your non-admittance to, the above described premises that directs the constable or sheriff of this county to remove you within 24 hours after receipt of the order.

The tenant is hereby advised of his right to contest this Notice by filing, with the Justice of the Peace of the **RENO** Township, an Affidavit stating that he is not in default in the payment of rent.

The tenant may also file an Affidavit requesting relief from the above reference Justice of the Peace, pursuant to Nevada Revised Statute(NRS) 118A.390, if the landlord has unlawfully removed the tenant from the premises or has excluded the tenant by blocking, or attempting to block, the tenant's entry upon the premises; or if the landlord willfully interrupts or causes or permits the interruption of an essential service required by a the governing rental agreement or chapter 118A of the NRS.

The Justice of the Peace is located at 1 S. SIERRA ST, RENO, NV 89501. The Affidavit must be filed with the Court no later than noon on the fifth full judicial day following the date of service. The Affidavit may be accessed at the Nevada Supreme Court Self-Help Center at its website at <http://www.nevadajudiciary.us/>

DECLARATION OF SERVICE

On July 9, 2018, I served this Notice in the following manner (*select one*):

☐ By delivering a copy to the tenant(s) personally, in the presence of a witness (the server, witness, and tenant must all sign a copy of this notice):

July 9, 2018

(date)

KAREN GALDAMEZ

(type or print witness' name)

(witness' signature)

Tenant's Signature

OR**OR**

☐ Because the tenant(s) were absent from their place of residence or from their usual place of business, by leaving a copy with _____, a person of suitable age and discretion, at either place and mailing a copy to the tenant(s) at their place of residence or place of business;

OR

☒ Because the place of residence or business could not be ascertained, or a person of suitable age or discretion could not be found there, by posting a copy in a conspicuous place on the property, delivering a copy to a person there residing, if the person could be found, and mailing a copy to the tenant(s) at the place where the property is situated.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

July 9, 2018

(date)

NICOLE KIMES

(type or print server's name)

(server's signature)

775-856-2900 . Landlord's phone number.

¹ Judicial days do not include the date of service, weekends, or certain legal holidays